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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/530,970	05/19/2000	HIROYUKI KUSAKA	P101201-0000	6264

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EXAMINER

HAROLD, JEFFEREY F

ART UNIT PAPER NUMBER

2644

DATE MAILED: 02/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/530,970

Applicant(s)

KUSAKA ET AL.

Examiner

Jefferey F Harold

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 and 8-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14-21 is/are allowed.
- 6) ☒ Claim(s) 1-6 and 8-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. **Claims 1-4, 6, 8, 9, 11** are rejected under 35 U.S.C. 102(e) as being anticipated by Albesa (United States Patent 5,982,876).

Regarding **claim 1**, Albesa discloses a method of finding an entry in a collection of data. In addition, Albesa discloses, a telephone (figure 1) comprising: an inherent storage unit for storing names to be called and corresponding telephone numbers; a keyboard (13), which reads on “an operating unit”, including a keys which reads on “plurality of numeric keys that are each assigned different characters”, for receiving key operations made by a user; microprocessor (16), which reads on “a searching means” for searching the inherent storage unit, when a numeric key on the keyboard is pressed for at least a predetermined time, for names that include a character assigned to the pressed numeric key, and a screen (12) which reads on “display means” for displaying a search result, wherein the screen; displays a predetermined number of names from the names found by the entering of keys on the key pad, one of the displayed names being a distinguishing character, which reads on “in a selection state”, the name in the

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selection state being displayed differently to other names; and when a addition key is pressed which reads on "selection changing operation is received by the keyboard unit, places another name that is currently being displayed into the selection state, as disclosed at column 2, line 32 through column 3, line 55 and exhibited in figures 1 and 2.

Regarding **claim 2**, Albesa discloses everything claimed as applied above (see claim 1), in addition, Albesa discloses the microprocessor which reads on "searching means" holds the search result in the form of a list of names found in the search; and the screen (12), which reads on the "display means", updates a display with at least one name from the name list that is not currently displayed, when the operating unit receives an addition key input, wherein the key is the any key that adds addition search criterion or the "select" key, which reads on "display updating operation", as disclosed at column 3, lines 35-62 and exhibited in figure 2.

Regarding **claim 3**, Albesa discloses everything claimed as applied above (see claim 2), in addition, Albesa discloses wherein the operating unit has a select key, which reads on "display update key" for updating the display of the search result; and the display updating operation is a press of the select key, as disclosed at column 3, lines 35-62 and exhibited in figure 2.

Regarding **claim 4**, Albesa discloses everything claimed as applied above (see claim 3), in addition, Albesa discloses wherein the inherent storage unit further stores group classifications corresponding to the names; each group classification is assigned to one of the numeric keys; and when the operating unit receives a second key press of

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the same key for at least the predetermined time, the searching means finds names having a group classification assigned to the pressed numeric key, wherein the group classification is the letter of alphabet corresponding to the numeric key pressed by the user, as disclosed at column 3, lines 35-62 and exhibited in figure 2.

Regarding **claim 6**, Albesa discloses everything claimed as applied above (see claim 2), in addition Albesa discloses wherein the display updating operation is a second press of a numeric key for at least the predetermined time, as disclosed at column 3, lines 35-62 and exhibited in figure 2.

Regarding **claim 8**, Albesa discloses everything claimed as applied above (see claim 1), in addition Albesa discloses wherein the operating unit has a select key for moving the selection state; and the selection changing operation is a press of the select key, as disclosed at column 3, lines 35-62 and exhibited in figure 2.

Regarding **claim 9**, Albesa discloses everything claimed as applied above (see claim 8), in addition Albesa discloses wherein the storage unit further stores group classifications corresponding to the names; each group classification is assigned to one of the numeric keys; and when the operating unit receives a second key press of the same key for at least the predetermined time, the searching means finds names having a group classification assigned to the pressed numeric key, as disclosed at column 2, line 54 through column 3, line 55 and exhibited in figure 2.

Regarding **claim 11**, it is interpreted and thus rejected for the reasons set forth above in the rejection of claim 8.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. ***Claim 5, 10, 12 and 13*** are rejected under 35 U.S.C. 103(a) as being unpatentable over Albessa in view of Cushman et al. (United States Patent 6,125,287), hereinafter referenced as Cushman.

Regarding **claim 5**, Albessa disclose everything claimed, as applied above, (see claim 2), Albessa discloses wherein the keyboard has up and down keys, however, Albessa fails to disclose wherein the display updating operation is a press of one of the up and down keys for at least the predetermined time; and the display means updates the display by: (1) displaying names from the name list that follow the currently displayed names, when the down key is pressed for at least the predetermined time; and (2) displaying names from the name list that precede the currently displayed names, when the up key is pressed for at least the predetermined time. However, the examiner maintains that it was well known in the art to provide the display updating operation is a press of one of the up and down keys for at least the predetermined time; and the display means updates the display by: (1) displaying names from the name list that follow the currently displayed names, when the down key is pressed for at least the predetermined time; and (2) displaying names from the name list that precede the

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currently displayed names, when the up key is pressed for at least the predetermined time, as taught by Cushman.

In a similar field of endeavor Cushman discloses a wireless telephone with improved user interface. In addition, Cushman discloses using the paging function to allow the up and down arrow key to be used to scroll, as disclosed at column 6, lines 4-21 and exhibited in figure 6.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Albessa by specifically providing the display updating operation is a press of one of the up and down keys for at least the predetermined time; and the display means updates the display by: (1) displaying names from the name list that follow the currently displayed names, when the down key is pressed for at least the predetermined time; and (2) displaying names from the name list that precede the currently displayed names, when the up key is pressed for at least the predetermined time, as taught by Cushman, for the purpose of scrolling through the list of names identified by the search criterion thus reducing the number of keystrokes required to obtain the desired number from the list.

Regarding **claim 12**, Albessa disclose everything claimed, as applied above, (see claim 1), however, Albessa fails to disclose a calling means for reading from the storage unit, when a call operation is received from the operating means, a telephone number corresponding to a name on the display unit currently in the selection state, and calling the telephone number. However, the examiner maintains that it was well known in the art to provide a calling means for reading from the storage unit, when a call

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operation is received from the operating means, a telephone number corresponding to a name on the display unit currently in the selection state, and calling the telephone number, as taught by Cushman.

In addition, Cushman discloses placing a call while viewing the directory list, as disclosed at column 5, lines 33-47 and exhibited in figure 2.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Albesa by specifically providing disclose a calling means for reading from the storage unit, when a call operation is received from the operating means, a telephone number corresponding to a name on the display unit currently in the selection state, and calling the telephone number, as taught by Cushman, for the purpose of reducing the number of keystrokes required to place call.

Regarding **claim 13**, Albesa and Cushman disclose everything claimed as applied above (see claim 12), in addition Albesa discloses wherein the call operation is a repeated press, for a predetermined number of times within a predetermined period, of the same numeric key that was previously pressed for at least the predetermined time, as disclosed at column 2, line 54 through column 3, line 55 and exhibited in figure 2.

#### ***Allowable Subject Matter***

3. ***Claims 14-21*** are allowed.

#### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-6 and 8-21 have been considered but are moot in view of the new ground(s) of rejection.



***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jefferey F Harold whose telephone number is 703-306-5836. The examiner can normally be reached on Monday - Friday 9 am - 5:30 pm.

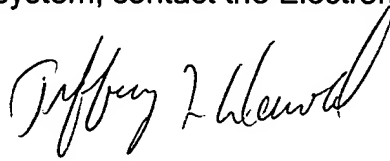
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A Kuntz can be reached on 703-305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JFH  
January 25, 2005



Jefferey F Harold  
Examiner  
Art Unit 2644